

ORIGINAL

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

FILED  
HARRISBURG, PA

OCT 18 2002

MARY E. DIANDREA, CLERK  
Per [Signature]  
Deputy Clerk

JACK MARRONE, KAREN MARRONE,  
both individually and in their capacity as  
parents and guardians for  
VIDA MARRONE, a minor, and  
MATTHEW MARRONE

Plaintiffs

v.

ALLSTATE INSURANCE COMPANY,  
LINDA M. EDLEMAN, FRED SCHAFER,  
MT. GRETNAL REALTY, and  
HOUSEMASTER

Defendants

CIVIL ACTION - LAW

CASE NO.: 1:CV-01-0773

JURY TRIAL DEMANDED

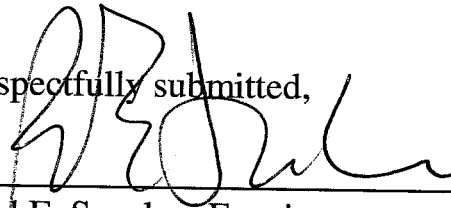
(JUDGE KANE)

**MOTION FOR SUMMARY JUDGMENT**  
**OF DEFENDANT HOUSEMASTER**

Pursuant to Rule 56 of the Federal Rules of Civil Procedure, Defendant HouseMaster respectfully moves this Court to enter summary judgment in its favor and against Plaintiffs on Counts VIII through XI of the Amended Complaint and on Plaintiffs' requests for personal injury damages in those counts. In support of the Motion, Defendant HouseMaster asserts that, based upon the pleadings, depositions and record in this case, there is no genuine issue of material fact and HouseMaster is entitled to judgment as a matter of law.

WHEREFORE, Defendant HouseMaster respectfully requests that this Court enter summary judgment in its favor and against Plaintiffs dismissing Counts VIII through XI of Plaintiffs' Amended Complaint and Plaintiffs' requests for personal injury damages in those counts.

Respectfully submitted,



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Paul E. Scanlan, Esquire

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Attorneys for Defendant HouseMaster

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	: JURY TRIAL DEMANDED
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LINDA M. EDLEMAN, FRED SCHAFER,	:
MT. GREтна REALTY, and	: (JUDGE KANE)
HOUSEMASTER	:
Defendants	:

**CERTIFICATE OF CONCURRENCE/NONCONCURRENCE**

I, Paul E. Scanlan, Esquire, counsel for Defendant HouseMaster, hereby certify that concurrence in HouseMaster's Motion for Summary Judgment on Counts VIII through XI of the Amended Complaint and Plaintiffs' claims for personal injury damages was sought from counsel for Plaintiffs and Co-Defendants' counsel on October 14, 2002. Counsel for the Plaintiffs, Allstate, and Fred Schaeffer and Mt. Gretna Realty stated that they could not concur or nonconcur in the Motion without first reviewing it. Counsel for Linda Edleman

concurs in the Motion.

A handwritten signature in black ink, appearing to read 'Paul E. Scanlan', is written over a horizontal line.

Paul E. Scanlan, Esquire  
Attorney I.D. No. 75733  
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(717) 237-5500

October 18, 2002

**CERTIFICATE OF SERVICE**

AND NOW, this 18<sup>th</sup> day of October, 2002, I, Denise L. Huber, an employee of Duane Morris LLP, hereby certify that I have served a copy of the Defendant HouseMaster's Motion for Summary Judgment on the following by depositing a true and correct copy of the same in the U.S. Mail at Harrisburg, Pennsylvania, postage prepaid, addressed to:

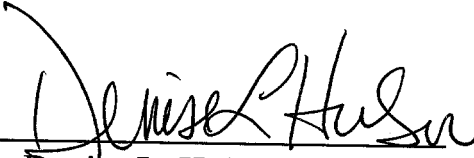
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By:

  
Denise L. Huber